

By: Davis of Harris

H.B. No. 2912

A BILL TO BE ENTITLED

AN ACT

relating to the performance of certain professional activities of dietitians acting under medical orders.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 701, Occupations Code, is amended by adding a new section 701.354, to read as follows:

Sec. 701.354. MEDICAL PROTOCOLS; MEDICAL NUTRITION THERAPY; LABORATORY TESTS. (a) Notwithstanding any other provision of law, a licensed dietitian/nutritionist, acting within the scope of his or her license and consistent with medical direction or authorization as provided in this section, may accept, transcribe into a patient's medical record or transmit verbal or electronically-transmitted orders, including medication orders, from a physician to other authorized health care professionals relating to the implementation or provision of medical nutrition therapy and related medical protocols for an individual patient or group of patients. In a licensed health facility, the medical direction or authorization shall be provided, as appropriate, through a physician's order, standing medical order, standing delegation order or medical protocol issued in accordance with Subchapter A, Chapter 157, Occupations Code, and rules adopted by the Board of Medical Examiners implementing the subchapter. In a private practice setting, the medical direction or authorization shall be provided, as appropriate, through the physician's order,

1 standing medical order, or standing delegation order of a referring
2 physician, in accordance with Subchapter A, Chapter 157,
3 Occupations Code, and rules adopted by the Board of Medical
4 Examiners implementing the subchapter.

5 **(b)** Notwithstanding any other provision of law, a licensed
6 dietitian/nutritionist, acting within the scope of his or her
7 license and consistent with medical direction or authorization as
8 provided in this section, may order medical laboratory tests
9 relating to the implementation or provision of medical nutrition
10 therapy and related medical protocols for individual patients or
11 groups of patients. In a licensed health facility, the medical
12 direction or authorization shall be provided, as appropriate,
13 through a physician's order, standing medical order, standing
14 delegation order or medical protocol, issued in accordance with
15 Subchapter A, Chapter 157, Occupations Code, and rules adopted by
16 the Board of Medical Examiners implementing the subchapter. In a
17 private practice setting, the medical direction or authorization
18 shall be provided through the physician's order, standing medical
19 order, or a standing delegation order of the referring physician,
20 in accordance with Subchapter A, Chapter 157, Occupations Code, and
21 rules adopted by the Board of Medical Examiners implementing the
22 subchapter.

23 SECTION 2. EFFECTIVE DATE. This Act takes effect
24 immediately if it receives a vote of two-thirds of all the members
25 elected to each house, as provided by Section 39, Article III, Texas
26 Constitution. If this Act does not receive the vote necessary for
27 immediate effect, this Act takes effect September 1, 2005.